

AUG 08 2023

Clerk, U. S. District Court
Eastern District of Tennessee
At Greeneville

V.

1:23-cr-

JUDGES

COUNT ONE

The Grand Jury charges that, on or about July 27, 2023, within the Eastern District of Tennessee and elsewhere, the defendant, ERIC LEE BAGLEY, did knowingly cross a state line while traveling from the State of Georgia to the State of Tennessee, with the intent to engage in a sexual act with a person who had not attained the age of 12 years, that is an 8-year-old girl.

COUNT TWO

The Grand Jury further charges that, on or about July 27, 2023, within the Eastern District of Tennessee, the defendant, ERIC LEE BAGLEY, did attempt to employ, use, persuade, induce, entice, and coerce, a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct using materials that had been mailed, shipped, and transported in interstate commerce.

COUNT THREE

The Grand Jury further charges that, on or about July 26, 2023, within the Eastern District of Tennessee and elsewhere, the defendant, ERIC LEE BAGLEY, did unlawfully and

knowingly distribute any visual depiction of a minor engaging in sexually explicit conduct using any means and facility of interstate and foreign commerce, and has been shipped and transported in and affecting interstate and foreign commerce, and which contains materials which have been mailed and so shipped and transported, by any means including by computer; to wit: videos depicting minor and prepubescent children engaging in sexually explicit conduct including but not limited to actual and simulated intercourse, masturbation, and the lascivious exhibition of the genitals and pubic area.

All in violation of Title 18, United States Code, Section 2252(a)(2).

COUNT FOUR
DISTRIBUTION OF A CRUSH VIDEO: BESTIALITY

The Grand Jury further charges that starting in or about June 2023 and continuing until about July 2023, in the Eastern District of Tennessee and elsewhere, the defendant, ERIC LEE BAGLEY, did unlawfully and knowingly distribute an animal crush video, as defined in Title 18 U.S.C. 48(f), in interstate commerce, via the internet, using a means and instrumentality of interstate commerce.

All in violation of Title 18, United States Code, Section 48(a)(3).

FORFEITURE ALLEGATIONS

The allegations contained in Counts 1 through 3 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to 18 U.S.C. §§ 2253.

Pursuant to 18 U.S.C. § 2253, upon conviction of an offense in violation of 18 U.S.C. § 2252(a)(2), 18 U.S.C. § 2241(c) and 18 U.S.C. § 2251(a) and (e), the Defendant, ERIC LEE BAGLEY, shall forfeit to the United States:

(a) Any visual depiction described in 18 U.S.C. §2251 or 2252A, or 2252, or any

book, magazine, periodical, film, videotape, or other matter which contains any such visual depictions, which was produced, transported, mailed, shipped or received in violation of Chapter 110 of the United States Code;

- (b) Any property, real or personal, used or intended to be used to commit or to facilitate the commission of these violations;
- (c) Any property, real or personal, that constitutes or is derived from proceeds traceable to this violation; and
- (d) Any property, real or personal, used or intended to be used to commit or to promote the commission of the offense including but not limited to a Samsung Note 20 5G Model SM-N981U; Serial Number RFCN80C2WRD.

Moreover, if any property subject to forfeiture, as a result of any act or omission by the defendant:

- (a) Cannot be located upon the exercise of due diligence;
- (b) Has been transferred or sold to, or deposited with a third party;
- (c) Has been placed beyond the jurisdiction of this Court;
- (d) Has been substantially diminished in value; or
- (e) Has been commingled with other personal property which cannot be subdivided without difficulty,

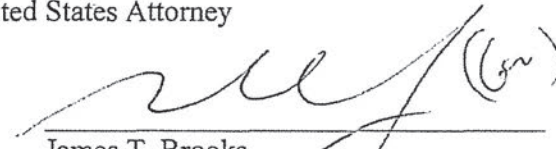
the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b).

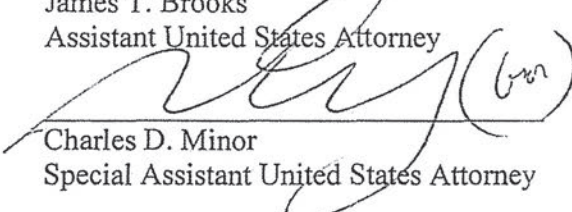
A TRUE BILL:

GRAND JURY FOREPERSON

FRANCIS M. HAMILTON III
United States Attorney

By:


James T. Brooks
Assistant United States Attorney


Charles D. Minor
Special Assistant United States Attorney